

ORIGINAL



0000015032

06

December 14, 2004

Michael Kalmus
Attorney at Law
850 Third Avenue, 14th Floor
New York NY 10022

RE: Subpoena – Docket No. S-3557A-04-0000
In the Matter of Lonzo Archer

Arizona Corporation Commission
DOCKETED

DEC 21 2004

DOCKETED BY	CR
-------------	----

Dear Mr. Kalmus:

We have received your subpoena dated December 10, 2004.

Based on the information provided in the subpoena, Ameritrade records do not show any accounts for Burt Sarver (SSN 569-48-6218) or Virginia Sarver (SSN 437-66-3562), that were transferred to Ameritrade from J.B. Oxford & Company.

Accounts 79716716, 79716735, and 79716721 for introducing broker, Mantis Securities, were not part of the accounts acquired by Ameritrade. You will have to subpoena J.B. Oxford & Company directly for those records at:

J. B. Oxford & Company
Attn: Paul Moore
15165 Ventura Boulevard, Suite 330
Sherman Oaks CA 91403

Sincerely,

Richard Boysen
402-970-7564
Ameritrade Client Services

RECEIVED
2004 DEC 21 P 3:17
AZ CORP COMMISSION
DOCUMENT CONTROL

MICHAEL KALMUS
ATTORNEY AT LAW
850 THIRD AVENUE, 14TH FL.
NEW YORK, NY 10022
Phone 212-940-9212
Fax 212-826-9738

FACSIMILE TRANSMISSION

TO: Ameritrade

ATTN: Regulatory/Compliance Dept.

FAX NO: 402-970-3440

FROM: Michael Kalmus

DATE: December 10, 2004

No. of Pages, inc. cover: 4

MICHAEL KALMUS

ATTORNEY AT LAW
850 THIRD AVENUE, 14TH FL.
NEW YORK, NY 10022
Phone 212-940-9212
Fax 212-826-9738

Admitted in NY, NJ and GA

55 Hudson Street
Hackensack, NJ 07601
Phone (201) 646-0606
Fax (201) 646-0613

December 10, 2004

**Via Fax and Regular Mail
402-970-3440**

Ameritrade
Regulatory/Compliance Department
PO Box 2148
Omaha, Nebraska 68103-2148

Re: In the Matter of Lonzo Archer

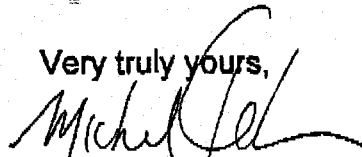
Dear Sir or Madam:

Enclosed please find a Subpoena Duces Tecum, which is self-explanatory. The subpoena calls for the production of Burt Sarver (SSN# 569-48-6218, or held jointly with any other person), and Virginia Sarver (SSN# 437-66-3562, or held jointly with any other person), account statements, customer agreements, discretionary papers, among other documents.

These documents should be produced at the address on the signature page of the enclosed Subpoena Duces Tecum on or before December 20, 2004. By producing these documents in the manner prescribed herein, no personal appearance is necessary.

Thank you for your cooperation in this matter.

Very truly yours,



Michael Kalmus
Attorney for Respondent

MK/sm

Encl.

cc: Michelle Allen, Esq.

BEFORE THE ARIZONA CORPORATION COMMISSION

In the Matter of

LONZO ARCHER
1512 Plymouth Road
North Brunswick, NJ 08902

JUDICIAL SUBPOENA
DUCES TECUM

Docket No. S-3557A-04-0000


Respondent.

To: Ameritrade
f/k/a JB Oxford & Co.
PO Box 2148
Regulatory/Compliance Dept.
Omaha, Nebraska 68103-2148

GREETINGS:

WE COMMAND YOU, That all business and excuses being laid aside, you and each of you appear and attend before the Arizona Corporation Commission on January 24, 2005 at 9:30AM at a hearing location at 1200 W. Washington, Phoenix, AZ 85007 and at any recessed or adjourned date, to give testimony in this action on the part of Respondent, and that you bring with you, and produce at the time and place aforesaid, the documents described in the Schedule "A" annexed hereto, now in your custody, and all other deeds, evidences and writings, which you have in your custody or power, concerning the said matters. Personal appearance at the hearing will not be required if the requested documents are transmitted to counsel for respondents within ten (10) days of the date of service of this subpoena.

Failure to comply with this subpoena is punishable as a contempt of Court and shall make you liable to the persons on whose belief this subpoena was issued for a penalty not to exceed fifty dollars and all damages sustained by reason of your failure to comply.



Michael Kalmus, Esq.
850 Third Avenue - 14th Floor
New York, NY 10022
(212) 940-9212 Phone
(212) 826-9738 Fax

SCHEDULE A

1. Any and all documents evidencing, indicating or pertaining to any brokerage account(s) (cash, margin, commodities, or options), purged or not purged, maintained by Virginia Sarver, Social Security No. 437-66-3562, and Burt Sarver, Social Security No. 569-48-6218, in any capacity individually, jointly, or otherwise, including, but not limited to Accounts numbered 79716716, 79716735 and 79716721 which cleared through JB Oxford & Co. for introducing broker, Mantis Securities and:

- (a) New account forms, customer agreements and account transfer forms;
- (b) Monthly statements from inception to present date or closing of account, whichever date is later; and
- (c) Any and all correspondence, memoranda, or other writings evidencing, indicating or pertaining to said account(s) since the inception of the account(s), including but not limited to documents concerning returned checks, letters of instruction, letters of authorization, power of attorney, complaints or inquiries.